

PROOF

STATE OF IOWA

House Journal

TUESDAY, MARCH 9, 2004

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JOURNAL OF THE HOUSE

Fifty-eighth Calendar Day - Thirty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 9, 2004

The House met pursuant to adjournment at 8:49 a.m., Speaker Rants in the chair.

Prayer was offered by Reverend Catherine Quehl-Engel, Chaplin of Cornell College, Mt. Vernon. She was the guest of Representative Ro Foege from Linn County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Monday, March 8, 2004 was approved.

INTRODUCTION OF BILLS

[House File 2509](#), by committee on transportation, a bill for an act relating to the issuance of special motor vehicle registration plates.

Read first time and referred to committee on **ways and means**.

[House File 2510](#), by committee on state government, a bill for an act providing for the licensure of electricians and installers on a statewide basis, providing for apprentice electrician registration, establishing fees, providing penalties, and providing an effective date.

Read first time and referred to committee on **ways and means**.

[House File 2511](#), by committee on economic growth, a bill for an act relating to area development and joint exercise of governmental powers, related county enterprise authority, and providing tax credits for economic development areas.

Read first time and referred to committee on **ways and means**.

[House File 2512](#), by committee on public safety, a bill for an act allowing a nonresident person who has been issued and possesses a valid out-of-state weapons permit to carry weapons in this state.

Read first time and placed on the **calendar**.

[House File 2513](#), by committee on human resources, a bill for an act to establish a newslines for the blind program within the department for the blind and to establish telephone utility assessments.

Read first time and referred to committee on **ways and means**.

[House File 2514](#), by committee on human resources, a bill for an act relating to a pilot project for dementia-specific care alternatives.

Read first time and placed on the **calendar**.

[House File 2515](#), by committee on agriculture, a bill for an act relating to the keeping of farm deer.

Read first time and placed on the **calendar**.

[House File 2516](#), by committee on public safety, a bill for an act relating to the performance of a notarial act by a chief officer when certifying a uniform citation and complaint under oath, and providing an effective date.

Read first time and placed on the **calendar**.

[House File 2517](#), by committee on environmental protection, a bill for an act relating to environmental regulations administered by the department of natural resources regarding the use of recycled oil and the calculation of waste volume reduction measures.

Read first time and placed on the **calendar**.

[House File 2518](#), by committee on environmental protection, a bill for an act relating to the duties of the soil and water conservation division of the department of agriculture and land stewardship.

Read first time and placed on the **calendar**.

SENATE MESSAGES CONSIDERED

[Senate File 2119](#), by committee on commerce, a bill for an act relating to collateral required to be pledged by banks to the treasurer of state in order to secure the deposit of public moneys.

Read first time and referred to committee on **commerce, regulation and labor**.

[Senate File 2148](#), by committee on judiciary, a bill for an act relating to the motor vehicle operating privileges of a person convicted of motor fuel theft from a retail dealer.

Read first time and **passed on file**.

[Senate File 2166](#), by committee on judiciary, a bill for an act relating to child endangerment offenses resulting in the death of a child or minor and providing a penalty.

Read first time and **passed on file**.

[Senate File 2187](#), by committee on commerce, a bill for an act relating to municipal utilities that provide local exchange services, including the confidentiality and audits of certain accounting records, the allocation of the cost of use of city resources, and exemption from sales and use taxes.

Read first time and **passed on file**.

[Senate File 2189](#), by committee on commerce, a bill for an act conferring additional enforcement authority on the real estate commission, and providing penalties.

Read first time and **passed on file**.

[Senate File 2191](#), by committee on judiciary, a bill for an act relating to agreements to arbitrate and providing remedies.

Read first time and referred to committee on **judiciary**.

[Senate File 2202](#), by committee on education, a bill for an act relating to meningococcal disease vaccination information for students who are enrolled in an institution of higher learning that has an on-campus dormitory or residence hall, and providing for related matters.

Read first time and referred to committee on **education**.

[Senate File 2230](#), by committee on commerce, a bill for an act relating to immunity from third-party liability for claims resulting from contaminated property and providing an effective date.

Read first time and **passed on file**.

[Senate File 2235](#), by committee on judiciary, a bill for an act establishing a uniform mediation Act.

Read first time and referred to committee on **judiciary**.

ADOPTION OF [HOUSE RESOLUTION 125](#)

Foege of Linn called up for consideration [House Resolution 125](#), a resolution commemorating the sesquicentennial anniversary of Cornell College and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

Foege of Linn introduced to the House, Dr. Les Garner the President of Cornell College whom addressed the House briefly regarding the types of education offered at Cornell College and their pride to be a part of the state of Iowa.

The House rose and expressed its welcome.

The House stood at ease at 9:07 a.m., until the fall of the gavel.

The House resumed session at 11:10 a.m., Speaker Rants in the chair.

CONSIDERATION OF BILLS
Regular Calendar

House File 2170, a bill for an act relating to product liability actions, was taken up for consideration.

Huser of Polk asked and received unanimous consent that amendments [H-8167](#), [H-8165](#) and [H-8168](#) be deferred.

Eichhorn of Hamilton offered the following amendment [H-8195](#) filed by him and moved its adoption:

[H-8195](#)

- 1 Amend [House File 2170](#) as follows:
- 2 1. Page 1, line 34, by inserting after the words
- 3 "by a" the following: "reasonable and visible".
- 4 2. Page 2, line 3, by inserting after the word
- 5 "instruct." the following: "When reasonable minds may
- 6 differ as to whether the warning or instruction is
- 7 reasonable and visible, the issues shall be decided by
- 8 the trier of fact."
- 9 3. Page 2, by striking lines 4 through 13.

Amendment [H-8195](#) was adopted, placing out of order amendments [H-8165](#), [H-8166](#) and [H-8168](#) filed by Huser of Polk on March 5, 2004.

Hogg of Linn asked and received unanimous consent to withdraw amendment [H-8192](#) filed by him on March 8, 2004.

Huser of Polk asked and received unanimous consent to withdraw amendment [H-8167](#), previously deferred, filed by her on March 5, 2004.

Eichhorn of Hamilton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2170](#))

The ayes were, 99:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Boggess

Bukta	Carroll	Chambers	Cohon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greimann	Greiner
Hahn	Hanson	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Klemme	Kramer	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Manternach	Mascher	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, S.	Osterhaus	Paulsen
Petersen	Quirk	Raecker	Rasmussen
Rayhons	Reasoner	Roberts	Sands
Schickel	Shomshor	Shoultz	Smith
Stevens	Struyk	Swaim	Taylor, D.
Thomas	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 1:

Taylor, T.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILES 427, 587 and 2088 WITHDRAWN

Eichhorn of Hamilton asked and received unanimous consent to withdraw House Files 427, 587 and 2088 from further consideration by the House.

SPECIAL PRESENTATION

Hahn of Muscatine introduced to the House the Honorable Barry Brauns, former state representative from Muscatine County.

The House rose and expressed its welcome.

House File 2243, a bill for an act regarding notice requirements by customers of and limitations on liability for liquefied petroleum gas suppliers, retailers, handlers, and transports, and making a penalty applicable, with report of committee recommending passage, was taken up for consideration.

Speaker pro tempore Carroll in the chair at 11:21 a.m.

Manternach of Jones moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2243](#))

The ayes were, 80:

Alons	Arnold	Baudler	Bell
Boal	Bogges	Bukta	Chambers
Cohoon	Connors	Dandekar	Davitt
De Boef	Dennis	Dix	Dolecheck
Drake	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Hahn
Hanson	Heaton	Heddens	Hoffman
Hogg	Horbach	Huseman	Jacobs
Jacoby	Jenkins	Jones	Klemme
Kuhn	Kurtenbach	Lalk	Lukan
Lykam	Maddox	Manternach	McCarthy
Mertz	Miller	Oldson	Olson, D.
Olson, S.	Paulsen	Petersen	Quirk
Raecker	Rants, Spkr.	Rasmussen	Reasoner
Roberts	Sands	Schickel	Smith
Stevens	Struyk	Swaim	Taylor, D.
Thomas	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Whitaker
Whitead	Wilderdyke	Wise	Carroll, Presiding

The nays were, 19:

Berry	Boddicker	Eichhorn	Greimann
Hunter	Huser	Hutter	Jochum
Kramer	Lensing	Mascher	Murphy
Osterhaus	Rayhons	Shomshor	Shultz
Tjepkes	Tymeson	Winckler	

Absent or not voting, 1:

Taylor, T.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2262, a bill for an act relating to public retirement systems, including the public safety peace officers' retirement, accident, and disability system, the Iowa public employees' retirement system, and the statewide fire and police retirement system, and providing effective and retroactive applicability dates, was taken up for consideration.

Drake of Pottawattamie offered the following amendment **H-8148** filed by Drake, et al., and moved its adoption:

H-8148

1 Amend **House File 2262** as follows:
2 1. Page 23, by inserting after line 20 the
3 following:
4 "Sec. ____ Section 400.8, subsection 1, Code 2003,
5 is amended to read as follows:
6 400.8 ORIGINAL ENTRANCE EXAMINATION –
7 APPOINTMENTS.
8 1. The commission, when necessary under the rules,
9 including minimum and maximum age limits, which shall
10 be prescribed and published in advance by the
11 commission and posted in the city hall, shall hold
12 examinations for the purpose of determining the
13 qualifications of applicants for positions under civil
14 service, other than promotions, which examinations
15 shall be practical in character and shall relate to
16 matters which will fairly test the mental and physical
17 ability of the applicant to discharge the duties of
18 the position to which the applicant seeks appointment.
19 The physical examination of applicants for appointment
20 to the positions of police officer, police matron, or
21 fire fighter shall be held in accordance with medical
22 protocols established by the board of trustees of the
23 fire and police retirement system established by
24 section 411.5 and shall be conducted in accordance
25 with the directives of the board of trustees.
26 However, the prohibitions of section 216.6, subsection
27 1, paragraph "d", regarding tests for the presence of
28 the antibody to the human immunodeficiency virus shall
29 not apply to such examinations. The board of trustees
30 may change the medical protocols at any time the board

31 so determines. The physical examination of an
32 applicant for the position of police officer, police
33 matron, or fire fighter shall be conducted after a
34 conditional offer of employment has been made to the
35 applicant. An applicant shall not be discriminated
36 against on the basis of height, weight, sex, or race
37 in determining physical or mental ability of the
38 applicant. Reasonable rules relating to strength,
39 agility, and general health of applicants shall be
40 prescribed. The costs of the physical examination
41 required under this subsection shall be paid from the
42 trust and agency fund of the city."
43 2. By renumbering as necessary.

Amendment [H-8148](#) was adopted.

Drake of Pottawattamie offered the following amendment [H-8040](#)
filed by him and moved its adoption:

[H-8040](#)

1 Amend [House File 2262](#) as follows:
2 1. Page 23, line 29, by striking the word
3 "actual" and inserting the following: "reasonable".
4 2. Page 23, by striking lines 30 and 31 and
5 inserting the following: "of production."

Amendment [H-8040](#) was adopted.

Drake of Pottawattamie offered the following amendment [H-8155](#)
filed by him and moved its adoption:

[H-8155](#)

1 Amend [House File 2262](#) as follows:
2 1. Page 27, by inserting after line 26 the
3 following:
4 "Sec. ____ Section 411.36, subsection 1, paragraph
5 c, Code 2003, is amended to read as follows:
6 c. A city treasurer, city financial officer, or
7 city clerk involved with the financial matters of the
8 city from four participating cities, one of whom is
9 from a city having a population of less than ~~forty~~
10 ~~thirty~~ thousand, and three of whom are from cities
11 having a population of ~~forty~~ ~~thirty~~ thousand or more.
12 The members authorized pursuant to this paragraph
13 shall be appointed by the governing body of the Iowa
14 league of cities."
15 2. By renumbering as necessary.

Amendment [H-8155](#) was adopted.

Drake of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2262](#))

The ayes were, 99:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Boggess
Bukta	Chambers	Cohoon	Connors
Dandekar	Davitt	De Boef	Dennis
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greimann	Greiner	Hahn
Hanson	Heaton	Heddens	Hoffman
Hogg	Horbach	Hunter	Huseman
Huser	Hutter	Jacobs	Jacoby
Jenkins	Jochum	Jones	Klemme
Kramer	Kuhn	Kurtenbach	Lalk
Lensing	Lukan	Lykam	Maddox
Manternach	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, S.	Osterhaus	Paulsen	Petersen
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Roberts	Sands
Schickel	Shomshor	Shoultz	Smith
Stevens	Struyk	Swaim	Taylor, D.
Thomas	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Carroll,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Taylor, T.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Jacobs of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2170, 2243 and 2262.**

House File 2270, a bill for an act relating to certain notice requirements for cooperative associations retaining abandoned property, was taken up for consideration.

Freeman of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2270](#))

The ayes were, 99:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Boggess
Bukta	Chambers	Cohoon	Connors
Dandekar	Davitt	De Boef	Dennis
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greimann	Greiner	Hahn
Hanson	Heaton	Heddens	Hoffman
Hogg	Horbach	Hunter	Huseman
Huser	Hutter	Jacobs	Jacoby
Jenkins	Jochum	Jones	Klemme
Kramer	Kuhn	Kurtenbach	Lalk
Lensing	Lukan	Lykam	Maddox
Manternach	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, S.	Osterhaus	Paulsen	Petersen
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Roberts	Sands
Schickel	Shomshor	Shoultz	Smith
Stevens	Struyk	Swaim	Taylor, D.
Thomas	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Carroll,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Taylor, T.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Jacobs of Polk asked and received unanimous consent that [House File 2270](#) be immediately messaged to the Senate.

On motion by Jacobs of Polk, the House was recessed at 11:42 a.m., until 12:30 p.m.

AFTERNOON SESSION

The House reconvened at 12:52 p.m., Speaker pro tempore Carroll in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-two members present, twenty-eight absent.

The House stood at ease at 1:01 p.m., until the fall of the gavel.

The House resumed session at 1:50 p.m., Speaker Rants in the chair.

SPECIAL PRESENTATION

Jenkins of Black Hawk introduced to the House the Honorable Marv Diemer, former state representative from Black Hawk County.

[House File 2304](#), a bill for an act relating to the provision of workers' compensation benefits, to the release of information concerning such benefits, and to workers' compensation liability insurance, was taken up for consideration.

Horbach of Tama offered the following amendment [H-8109](#) filed by him as follows:

[H-8109](#)

- 1 Amend [House File 2304](#) as follows:
- 2 1. Page 1, by inserting after line 29 the
- 3 following:
- 4 "Sec.____. Section 85.36, Code 2003, is amended by
- 5 adding the following new subsection:
- 6 NEW SECTION. 5A. In the case of an employee who
- 7 is employed pursuant to a contract for a specified
- 8 period of time, but is paid on a pay period basis
- 9 where the pay periods extend beyond the contract
- 10 period, the employee's weekly gross earnings shall be
- 11 computed by dividing the total amount paid to the
- 12 employee pursuant to the contract by fifty-two."

Speaker pro tempore Carroll in the chair at 12:57 p.m.

Mascher of Johnson rose on a point of order that amendment [H-8109](#) was not germane.

The Speaker ruled the point not well taken and amendment [H-8109](#) germane.

Horbach of Tama moved the adoption of amendment [H-8109](#).

A non-record roll call was requested.

The ayes were 48, nays 35.

Amendment [H-8109](#) was adopted.

Huser of Polk offered the following amendment [H-8173](#) filed by her and moved its adoption:

[H-8173](#)

- 1 Amend [House File 2304](#) as follows:
- 2 1. Page 2, by inserting after line 28 the
- 3 following:
- 4 "Sec.____. Section 86.14, Code 2003, is amended by
- 5 adding the following new unnumbered paragraph:
- 6 NEW UNNUMBERED PARAGRAPH. An injured employee
- 7 prevailing in a proceeding under this section shall be

8 entitled to recover reasonable attorney fees and costs
9 from the opposing party."
10 2. By renumbering as necessary.

Amendment [H-8173](#) lost.

Eichhorn of Hamilton offered the following amendment [H-8185](#) filed by Eichhorn, et al., and moved its adoption:

[H-8185](#)

1 Amend [House File 2304](#) as follows:
2 1. Page 2, by inserting after line 28 the
3 following:
4 "Sec. _____. NEW SECTION. 86.16 HEARINGS –
5 SCHEDULING.
6 Pursuant to rules adopted under chapter 17A, all
7 contested cases before the workers' compensation
8 commissioner shall be brought to issue and heard on a
9 date that is no more than fourteen months from the
10 date the original notice and petition is filed, except
11 that a continuance for a hearing date later than
12 fourteen months from the date of filing may be granted
13 upon a showing of good cause."

Amendment [H-8185](#) was adopted.

Hogg of Linn offered the following amendment [H-8174](#) filed by Huser of Polk and moved its adoption:

[H-8174](#)

1 Amend [House File 2304](#) as follows:
2 1. Page 7, by inserting after line 3, the
3 following:
4 "Sec. _____. WORKERS' COMPENSATION STUDY. The
5 workers' compensation commissioner and the
6 commissioner of insurance shall commence a study to
7 determine the inflationary factors in workers'
8 compensation insurance premiums charged to Iowa
9 employers that include the escalating cost of medical
10 services and prescription drugs and to make
11 recommendations in regard to fee schedules for medical
12 services. The study shall include the amount of
13 commissions paid to insurance producers and recommend
14 a fee schedule for commissions received by insurance
15 producers writing such coverages. The study shall
16 also include what effect, if any, the handling of
17 workers' compensation by attorneys on a contingency

18 fee basis has on the receipt of benefits by employees
 19 or on insurance premiums."
 20 2. By renumbering as necessary.

Amendment [H-8174](#) lost.

Horbach of Tama moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2304](#))

The ayes were, 56:

Alons	Arnold	Baudler	Boal
Boddicker	Boggess	Chambers	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Freeman	Gipp
Granzow	Greiner	Hahn	Hanson
Heaton	Hoffman	Horbach	Huseman
Hutter	Jacobs	Jenkins	Jones
Klemme	Kramer	Kurtenbach	Lalk
Lukan	Maddox	Manternach	Olson, S.
Paulsen	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Roberts	Sands
Schickel	Shoultz	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wilderdyke	Wise	Carroll, Presiding

The nays were, 43:

Bell	Berry	Bukta	Cohon
Connors	Dandekar	Davitt	Fallon
Foege	Ford	Frevert	Gaskill
Greimann	Heddens	Hogg	Hunter
Huser	Jacoby	Jochum	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Osterhaus	Petersen	Reasoner
Shomshor	Smith	Stevens	Struyk
Swaim	Taylor, D.	Thomas	Wendt
Whitaker	Whitead	Winckler	

Absent or not voting, 1:

Taylor, T.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 9, 2004, amended and passed the following bill in which the concurrence of the House is asked:

[Senate File 2167](#), a bill for an act relating to the Iowa probate code, including provisions relating to estate recovery of medical assistance benefits, the power to disclaim property interests, and trusts.

Also: That the Senate has on March 9, 2004, passed the following bill in which the concurrence of the House is asked:

[Senate File 2174](#), a bill for an act relating to the appointment of the ninth member of the state board of regents.

Also: That the Senate has on March 9, 2004, amended and passed the following bill in which the concurrence of the House is asked:

[Senate File 2177](#), a bill for an act relating to the possession and self-administration of asthma medication by public and accredited nonpublic school students.

Also: That the Senate has on March 9, 2004, passed the following bill in which the concurrence of the House is asked:

[Senate File 2193](#), a bill for an act relating to the civil commitment of sexually violent predators.

Also: That the Senate has on March 9, 2004, passed the following bill in which the concurrence of the House is asked:

[Senate File 2199](#), a bill for an act relating to residential landlord-tenant law, by making certain changes concerning family violence and domestic abuse.

Also: That the Senate has on March 9, 2004, amended and passed the following bill in which the concurrence of the House is asked:

[Senate File 2217](#), a bill for an act relating to assessments imposed on cattle for purposes of promotion, education, and research, and providing an effective date.

Also: That the Senate has on March 9, 2004, passed the following bill in which the concurrence of the House is asked:

[Senate File 2239](#), a bill for an act relating to certain protections for members and families of members of the Iowa national guard or United States reserve forces during military service.

Also: That the Senate has on March 9, 2004, amended and passed the following bill in which the concurrence of the House is asked:

[Senate File 2240](#), a bill for an act relating to temporary rate authority and rules of the Iowa utilities board regarding rate regulation proceedings.

Also: That the Senate has on March 9, 2004, amended and passed the following bill in which the concurrence of the House is asked:

[Senate File 2244](#), a bill for an act relating to municipal utilities that provide telecommunications services, including the examination and confidentiality of certain accounting records.

MICHAEL E. MARSHALL, Secretary

[House File 2306](#), a bill for an act relating to fees charged for delayed redemption of electronic gift cards, was taken up for consideration.

Wilderdyke of Harrison moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2306](#))

The ayes were, 98:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Bogges
Bukta	Chambers	Cphoon	Connors
Dandekar	Davitt	De Boef	Dennis
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greimann	Greiner	Hahn
Hanson	Heaton	Heddens	Hoffman
Hogg	Horbach	Hunter	Huseman
Huser	Hutter	Jacobs	Jacoby
Jenkins	Jochum	Jones	Klemme
Kramer	Kuhn	Kurtenbach	Lalk
Lensing	Lukan	Lykam	Maddox
Manternach	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, S.	Osterhaus	Paulsen	Petersen
Quirk	Raecker	Rants, Spkr.	Rasmussen

Rayhons	Reasoner	Roberts	Sands
Schickel	Shomshor	Shoultz	Smith
Stevens	Struyk	Swaim	Taylor, D.
Thomas	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.R.	Watts	Wendt
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Carroll, Presiding		

The nays were, none.

Absent or not voting, 2:

Taylor, T. Van Fossen, J.K.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2341, a bill for an act allowing off-duty, out-of-state, and retired peace officers to carry weapons, was taken up for consideration.

Hogg of Linn offered the following amendment [H-8125](#) filed by him and moved its adoption:

[H-8125](#)

- 1 Amend [House File 2341](#) as follows:
- 2 1. Page 1, by striking lines 17 and 18, and
- 3 inserting the following:
- 4 "(2) "Out-of-state peace officer" means any peace
- 5 officer authorized to make arrests and conduct other
- 6 law enforcement activities pursuant to section 804.7B,
- 7 subsection 2."

Amendment [H-8125](#) lost.

Hogg of Linn offered the following amendment [H-8150](#) filed by him and moved its adoption:

[H-8150](#)

- 1 Amend [House File 2341](#) as follows:
- 2 1. Page 2, line 12, by inserting after the word
- 3 "years," the following: "if the peace officer is
- 4 under the age of seventy,".
- 5 2. Page 2, line 13, by inserting after the word
- 6 "met," the following: "If the peace officer is age

7 seventy or older, a nonprofessional permit to carry
 8 weapons shall be issued for a period not to exceed two
 9 years, upon a determination that the requirements of
 10 sections 724.8 to 724.10 have been met."
 11 3. By renumbering as necessary.

Amendment [H-8150](#) lost.

Alons of Sioux moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2341](#))

The ayes were, 92:

Alons	Arnold	Baudler	Bell
Boal	Boddicker	Bogges	Chambers
Cohoon	Connors	Dandekar	Davitt
De Boef	Dennis	Dix	Dolecheck
Drake	Eichhorn	Elgin	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Hahn
Hanson	Heaton	Heddens	Hoffman
Horbach	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Klemme	Kramer	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Manternach	Mascher
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, S.	Osterhaus
Paulsen	Petersen	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Roberts	Sands	Schickel	Shomshor
Shoultz	Smith	Stevens	Struyk
Swaim	Taylor, D.	Thomas	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Whitaker
Wilderdyke	Winckler	Wise	Carroll, Presiding

The nays were, 7:

Berry	Bukta	Fallon	Greimann
Hogg	Hunter	Whitead	

Absent or not voting, 1:

Taylor, T.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

[HOUSE FILE 2027](#) WITHDRAWN

Horbach of Tama asked and received unanimous consent to withdraw [House File 2027](#) from further consideration by the House.

[HOUSE FILE 2199](#) WITHDRAWN

Alons of Sioux asked and received unanimous consent to withdraw [House File 2199](#) from further consideration by the House.

HOUSE FILES 274, 448, 481 and 2173 WITHDRAWN

Jacobs of Polk asked and received unanimous consent to withdraw House Files 274, 448, 481 and 2173 from further consideration by the House.

[House File 2394](#), a bill for an act relating to driver education by a teaching parent, was taken up for consideration.

Mascher of Johnson offered the following amendment [H-8158](#) filed by her and moved its adoption:

[H-8158](#)

- 1 Amend [House File 2394](#) as follows:
- 2 1. Page 1, line 5, by inserting after the word
- 3 "parent" the following: ", under the supervision of a
- 4 person certified by the department and authorized by
- 5 the board of educational examiners to provide street
- 6 or highway driving instruction,".
- 7 2. Page 3, by inserting after line 16 the
- 8 following:
- 9 "h. Documentation that the teaching parent
- 10 administered the approved course under the supervision
- 11 of a person certified by the department and authorized
- 12 by the board of educational examiners to provide
- 13 street or highway driving instruction."
- 14 3. By renumbering as necessary.

Amendment [H-8158](#) lost.

Mascher of Johnson offered the following amendment [H-8160](#) filed by her and moved its adoption:

[H-8160](#)

- 1 Amend [House File 2394](#) as follows:
- 2 1. Page 1, line 13, by inserting after the figure
- 3 "3" the following: ", include the best teaching
- 4 practices for driver education programs,".

Amendment [H-8160](#) lost.

Cohoon of Des Moines offered the following amendment [H-8157](#) filed by Mascher of Johnson and moved its adoption:

[H-8157](#)

- 1 Amend [House File 2394](#) as follows:
- 2 1. Page 1, line 29, by inserting after the word
- 3 "year;" the following: "who has successfully
- 4 completed a behind-the-wheel driving instructor
- 5 authorization course approved by the department;".

Amendment [H-8157](#) lost.

Mascher of Johnson offered amendment [H-8153](#) filed by her as follows:

[H-8153](#)

- 1 Amend [House File 2394](#) as follows:
- 2 1. Page 1, line 31, by striking the word "and".
- 3 2. Page 1, line 33, by striking the word "years."
- 4 and inserting the following: "years; and who
- 5 continuously maintains a clear driving record while
- 6 administering an approved course to a student under
- 7 this section. A person who becomes disqualified as a
- 8 teaching parent on the basis of the person's driving
- 9 record while administering an approved course shall
- 10 discontinue administering the course and shall not be
- 11 eligible to qualify as a teaching parent until the
- 12 person's driving record is clear and remains clear for
- 13 two years."

Mascher of Johnson offered the following amendment [H-8203](#), to amendment [H-8153](#), filed by her from the floor and moved its adoption:

[H-8203](#)

- 1 Amend the amendment, [H-8153](#), to [House File 2394](#), as
2 follows:
3 1. Page 1, by striking lines 2 through 13, and
4 inserting the following:
5 "____. Page 1, line 33, by inserting after the
6 word "years" the following: "as evidenced by the
7 written certification of the department obtained prior
8 to beginning the instruction of the student in an
9 approved course".
10 _____. Page 2, line 34, by inserting after the
11 figure "2" the following: "and a copy of the
12 department's certification of the teaching parent's
13 clear driving record"."
14 2. By renumbering as necessary.

Amendment [H-8203](#) was adopted.

Speaker Rants in the chair at 3:35 p.m.

On motion by Mascher of Johnson, amendment [H-8153](#), as amended, lost.

Mascher of Johnson asked and received unanimous consent to withdraw amendment [H-8159](#) filed by her on March 5, 2004.

Bukta of Clinton asked and received unanimous consent to withdraw amendment [H-8164](#) filed by Mascher of Johnson on March 5, 2004.

Huser of Polk offered amendment [H-8162](#) filed by her as follows:

[H-8162](#)

- 1 Amend [House File 2394](#) as follows:
2 1. Page 3, by inserting after line 28 the
3 following:
4 "Sec. __. Section 321.194, subsection 1,
5 paragraph a, subparagraph (1), Code 2003, is amended
6 to read as follows:
7 (1) During the hours of 6 a.m. to 10 p.m. over the
8 most direct and accessible route between the
9 licensee's residence and schools of enrollment and
10 between schools of enrollment for the purpose of
11 attending duly scheduled courses of instruction and
12 extracurricular activities within the school district.
13 For purposes of this section, "school" means a public
14 school or an accredited or nonaccredited private

15 school.
16 Sec. 321.194, subsection 1, paragraph
17 b, unnumbered paragraph 1, Code 2003, is amended to
18 read as follows:
19 Each application shall be accompanied by a
20 statement from the school board, superintendent, or
21 principal, if authorized by the superintendent, of the
22 applicant's school or, if the applicant attends a
23 private school, by the governing authority of the
24 private school. The statement shall be upon a form
25 provided by the department. The school board,
26 superintendent, ~~or principal, if authorized by the~~
27 ~~superintendent, or governing authority~~ shall certify
28 that a need exists for the license and that the board,
29 superintendent, ~~or principal authorized by the~~
30 ~~superintendent, or governing authority~~ is not
31 responsible for actions of the applicant which pertain
32 to the use of the driver's license. Upon receipt of a
33 statement of necessity, the department shall issue the
34 driver's license. The fact that the applicant resides
35 at a distance less than one mile from the applicant's
36 school of enrollment is prima facie evidence of the
37 nonexistence of necessity for the issuance of a
38 license. The ~~school board of directors of a public~~
39 ~~school district~~ shall develop and adopt a policy
40 establishing the criteria that shall be used by a
41 school district administrator to approve or deny
42 certification that a need exists for a license. The
43 student enrolled in a public school may appeal to the
44 school board the decision of a school district
45 administrator to deny certification. The decision of
46 the school board is final. The driver's license shall
47 not be issued for purposes of attending a public
48 school in a school district other than either of the
49 following:"
50 2. Title page, line 1, by inserting after the

Page 2

1 word "parent" the following: "and issuance of special
2 driver's licenses to minors".
3 3. By renumbering as necessary.

Paulsen of Linn rose on a point of order that amendment [H-8162](#)
was not germane.

The Speaker ruled the point well taken and amendment [H-8162](#)
not germane.

Paulsen of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Boggess of Page in the chair at 3:57 p.m.

On the question "Shall the bill pass?" ([H.F. 2394](#))

The ayes were, 67:

Alons	Arnold	Baudler	Boal
Boddicker	Carroll	Chambers	Dandekar
De Boef	Dennis	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Freeman	Frevert	Gipp
Granzow	Greiner	Hahn	Hanson
Heaton	Hoffman	Horbach	Huseman
Huser	Hutter	Jacobs	Jenkins
Jones	Klemme	Kramer	Kuhn
Kurtenbach	Lalk	Lukan	Maddox
Manternach	McCarthy	Mertz	Miller
Olson, S.	Paulsen	Petersen	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Roberts	Sands	Schickel	Struyk
Thomas	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wilderdyke	Wise	Boggess, Presiding	

The nays were, 32:

Bell	Berry	Bukta	Cohoon
Connors	Davitt	Ford	Gaskill
Greimann	Heddens	Hogg	Hunter
Jacoby	Jochum	Lensing	Lykam
Mascher	Murphy	Oldson	Olson, D.
Osterhaus	Quirk	Shomshor	Shoultz
Smith	Stevens	Swaim	Taylor, D.
Wendt	Whitaker	Whitead	Winckler

Absent or not voting, 1:

Taylor, T.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 9, 2004, passed the following bill in which the concurrence of the House is asked:

[Senate File 2190](#), a bill for an act relating to the development of the long-term care system in Iowa.

Also: That the Senate has on March 9, 2004, adopted the following resolution in which the concurrence of the House was asked:

[Senate Concurrent Resolution 110](#), a concurrent resolution providing for the formation of a committee by the Legislative Council to conduct a review of the school finance formula.

Also: That the Senate has on March 9, 2004, amended and adopted the following resolution in which the concurrence of the House is asked:

[Senate Concurrent Resolution 111](#), a concurrent resolution requesting the Legislative Council to establish an interim study committee to examine the costs and benefits of Iowa joining the Midwestern Higher Education Compact.

MICHAEL E. MARSHALL, Secretary

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Boddicker of Cedar on request of Gipp of Winneshiek; T. Taylor of Linn on request of Murphy of Dubuque.

[House File 2451](#), a bill for an act relating to stormwater discharge permits issued by the department of natural resources, was taken up for consideration.

Kurtenbach of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2451](#))

The ayes were, 97:

Alons	Arnold	Baudler	Bell
Berry	Boal	Bukta	Carroll
Chambers	Cohoon	Connors	Dandekar
Davitt	De Boef	Dennis	Dix
Dolecheck	Drake	Eichhorn	Elgin
Fallon	Foege	Ford	Freeman
Frevert	Gaskill	Gipp	Granzow
Greimann	Greiner	Hahn	Hanson
Heaton	Heddens	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Klemme	Kramer	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Manternach	Mascher
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, S.	Osterhaus
Paulsen	Petersen	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Roberts	Sands	Schickel	Shomshor
Shoultz	Smith	Stevens	Struyk
Swaim	Taylor, D.	Thomas	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Boggess, Presiding			

The nays were, none.

Absent or not voting, 3:

Boddicker Hoffman Taylor, T.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Jacobs of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2304, 2306, 2341, 2394 and 2451.**

House File 2343, a bill for an act providing for the establishment of a vaccination program for first responders, and providing an immediate effective date, was taken up for consideration.

Klemme of Plymouth offered the following amendment [H-8176](#) filed by Klemme, et al., and moved its adoption:

[H-8176](#)

- 1 Amend [House File 2343](#) as follows:
- 2 1. Page 1, by striking lines 3 and 4 and
- 3 inserting the following:
- 4 "1. In the event that federal funding is received
- 5 for administering vaccinations for first responders,
- 6 the department shall offer a".
- 7 2. Page 2, line 3, by striking the words "and
- 8 physicians" and inserting the following: "physicians,
- 9 and military unit clinics".
- 10 3. Page 2, by striking lines 4 through 7.
- 11 4. By renumbering as necessary.

Amendment [H-8176](#) was adopted.

Klemme of Plymouth moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2343](#))

The ayes were, 98:

Alons	Arnold	Baudler	Bell
Berry	Boal	Bukta	Carroll
Chambers	Cphoon	Connors	Dandekar
Davitt	De Boef	Dennis	Dix
Dolecheck	Drake	Eichhorn	Elgin
Fallon	Foege	Ford	Freeman
Frevert	Gaskill	Gipp	Granzow
Greimann	Greiner	Hahn	Hanson
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Klemme	Kramer
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Manternach
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, S.
Osterhaus	Paulsen	Petersen	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Roberts	Sands	Schickel
Shomshor	Shoultz	Smith	Stevens
Struyk	Swaim	Taylor, D.	Thomas
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven

Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Bogges,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Boddicker Taylor, T.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 2275 WITHDRAWN

Kurtenbach of Story asked and received unanimous consent to withdraw [House File 2275](#) from further consideration by the House.

House File 2366, a bill for an act relating to the use of blaze orange apparel by hunters and subjecting violators to a penalty, was taken up for consideration.

Arnold of Lucas offered the following amendment [H-8178](#) filed by him and moved its adoption:

H-8178

- 1 Amend [House File 2366](#) as follows:
- 2 1. Page 1, line 13, by inserting after the word
- 3 "be" the following: "at least fifty percent".

Amendment [H-8178](#) was adopted.

Arnold of Lucas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2366](#))

The ayes were, 97:

Alons	Arnold	Baudler	Berry
Boal	Bukta	Carroll	Chambers
Cohoon	Connors	Dandekar	Davitt
De Boef	Dennis	Dix	Dolecheck

Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greimann
Greiner	Hahn	Hanson	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Klemme	Kramer	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Manternach	Mascher
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, S.	Osterhaus
Paulsen	Petersen	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Roberts	Sands	Schickel	Shomshor
Shoultz	Smith	Stevens	Struyk
Swaim	Taylor, D.	Thomas	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Bogges, Presiding			

The nays were, none.

Absent or not voting, 3:

Bell Boddicker Taylor, T.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 301 WITHDRAWN

Arnold of Lucas asked and received unanimous consent to withdraw House File 301 from further consideration by the House.

House File 2392, a bill for an act relating to controlled burns of demolished buildings conducted by certain cities, was taken up for consideration.

D. Olson of Boone offered the following amendment H-8151 filed by D. Olson, et al., and moved its adoption:

H-8151

- 1 Amend House File 2392 as follows:
- 2 1. Page 1, line 12, by striking the words "and

- 3 that" and inserting the following: "that".
 4 2. Page 1, line 14, by inserting after the word
 5 "property" the following: ", and that approval of the
 6 local board of health, as defined in section 137.2,
 7 must be received prior to any burn taking place".

Roll call was requested by Mascher of Johnson and Greimann of Story.

Rule 75 was invoked.

On the question "Shall amendment [H-8151](#) be adopted?" ([H.F. 2392](#))

The ayes were, 47:

Bell	Berry	Bukta	Cohon
Connors	Dandekar	Davitt	Fallon
Foege	Ford	Frevert	Gaskill
Greimann	Heaton	Heddens	Hogg
Hunter	Huser	Jacoby	Jochum
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Osterhaus	Petersen
Quirk	Reasoner	Shomshor	Shultz
Smith	Stevens	Struyk	Swaim
Taylor, D.	Thomas	Wendt	Whitaker
Whitead	Winckler	Wise	

The nays were, 51:

Alons	Arnold	Baudler	Boal
Carroll	Chambers	De Boef	Dennis
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Hahn	Hanson	Hoffman
Horbach	Huseman	Hutter	Jacobs
Jenkins	Jones	Klemme	Kramer
Kurtenbach	Lalk	Lukan	Maddox
Manternach	Olson, S.	Paulsen	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Roberts
Sands	Schickel	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wilderdyke	Boggess, Presiding	

Absent or not voting, 2:

Boddicker Taylor, T.

Amendment [H-8151](#) lost.

D. Olson of Boone offered the following amendment [H-8177](#) filed by him and Kuhn of Floyd and moved its adoption:

[H-8177](#)

- 1 Amend [House File 2392](#) as follows:
- 2 1. Page 1, line 18, by inserting after the word
- 3 "building" the following: "public use area,
- 4 educational institution, religious institution, or
- 5 commercial enterprise".

Rule 75 was invoked.

A non-record roll call was requested.

The ayes were 46, nays 49.

Amendment [H-8177](#) lost.

Mascher of Johnson invoked Rule 43, to rerefer [House File 2392](#) to the committee on local government.

Objection was raised.

Masher of Johnson moved to rerefer [House File 2392](#) to the committee on local government.

A non-record roll call was requested.

The ayes were 46, nays 52.

The motion to rerefer lost.

Drake of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2392](#))

The ayes were, 54:

Alons	Arnold	Baudler	Boal
Carroll	Chambers	De Boef	Dennis
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Hahn	Hanson	Heaton
Hoffman	Horbach	Huseman	Hutter
Jacobs	Jenkins	Jones	Klemme
Kramer	Kurtenbach	Lalk	Lukan
Maddox	Manternach	Olson, S.	Paulsen
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Roberts	Sands	Schickel	Swaim
Thomas	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wildurdyke	Bogges, Presiding		

The nays were, 43:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Greimann
Heddens	Hogg	Hunter	Huser
Jacoby	Jochum	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Osterhaus	Petersen	Quirk	Reasoner
Shomshor	Shoultz	Smith	Stevens
Struyk	Taylor, D.	Wendt	Whitaker
Whitead	Winckler	Wise	

Absent or not voting, 3:

Boddicker	Connors	Taylor, T.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Speaker Rants in the chair at 6:29 p.m.

House File 2393, a bill for an act relating to the regulation of target shooting near buildings and feedlots and the regulation of public hunting near buildings and feedlots and providing an effective date, was taken up for consideration.

Baudler of Adair moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2393](#))

The ayes were, 75:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boggess	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dennis	Dix
Dolecheck	Drake	Eichhorn	Elgin
Fallon	Foege	Freeman	Frevert
Gipp	Granzow	Greiner	Hahn
Hanson	Heaton	Hoffman	Horbach
Huseman	Huser	Hutter	Jacobs
Jenkins	Jones	Klemme	Kramer
Kurtenbach	Lalk	Lukan	Lykam
Maddox	Manternach	Mertz	Olson, S.
Osterhaus	Paulsen	Quirk	Raecker
Rasmussen	Rayhons	Roberts	Sands
Schickel	Smith	Stevens	Struyk
Swaim	Taylor, D.	Thomas	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Whitaker
Wilderdyke	Wise	Mr. Speaker	
		Rants	

The nays were, 22:

Ford	Gaskill	Greimann	Heddens
Hogg	Hunter	Jacoby	Jochum
Kuhn	Lensing	Mascher	McCarthy
Miller	Murphy	Oldson	Olson, D.
Petersen	Reasoner	Shomshor	Shultz
Whitead	Winckler		

Absent or not voting, 3:

Boddicker	Connors	Taylor, T.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

[House File 2398](#), a bill for an act relating to the establishment of a toll-free telephone service by the department of justice to assist persons interested in receiving consumer fraud information, was taken up for consideration.

Hutter of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2398](#))

The ayes were, 97:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boggess	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dennis	Dix
Dolecheck	Drake	Eichhorn	Elgin
Fallon	Foege	Ford	Freeman
Frevert	Gaskill	Gipp	Granzow
Greimann	Greiner	Hahn	Hanson
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Klemme	Kramer
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Manternach
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, S.
Osterhaus	Paulsen	Petersen	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Roberts	Sands	Schickel	Shomshor
Shoultz	Smith	Stevens	Struyk
Swaim	Taylor, D.	Thomas	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Mr. Speaker			
Rants			

The nays were, none.

Absent or not voting and 3:

Boddicker Connors Taylor, T.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

[HOUSE FILE 2054](#) WITHDRAWN

Baudler of Adair asked and received unanimous consent to withdraw [House File 2054](#) from further consideration by the House.

HOUSE FILE 2179 WITHDRAWN

Hutter of Scott asked and received unanimous consent to withdraw House File 2179 from further consideration by the House.

HOUSE FILES 83 and 572 WITHDRAWN

Drake of Pottawattamie asked and received unanimous consent to withdraw House Files 83 and 572 from further consideration by the House.

IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2343, 2366, 2392, 2393 and 2398.**

House File 2401, a bill for an act relating to the comprehensive petroleum underground storage tank fund, was taken up for consideration.

Shoultz of Black Hawk offered amendment H-8190 filed by him as follows:

H-8190

- 1 Amend House File 2401 as follows:
- 2 1. Page 1, line 34, by striking the word
- 3 "reimburse" and inserting the following: "provide a
- 4 loan with no interest to".
- 5 2. Page 1, line 35, by inserting after the word
- 6 "site" the following: "for".
- 7 3. Page 2, line 2, by striking the words "owner,
- 8 for" and inserting the following: "owner. Loan
- 9 proceeds received under this section shall be used
- 10 for".
- 11 4. Page 2, line 11, by striking the words "an
- 12 application for reimbursement" and inserting the
- 13 following: "a loan application".
- 14 5. Page 2, by inserting after line 31 the
- 15 following:
- 16 "2A. In addition to any other terms deemed
- 17 necessary by the board, a loan agreement entered into
- 18 pursuant to this section shall include provisions
- 19 relating to collateral or the granting of a lien on
- 20 real property where the aboveground petroleum storage

21 tank site is located and to repayment terms."
22 6. Page 3, line 1, by inserting after the word
23 "reimbursement" the following: "through the loan
24 proceeds".
25 7. Page 3, line 3, by inserting after the word
26 "reimbursed" the following: "through loan proceeds".
27 8. Page 3, line 5, by striking the word
28 "reimbursement" and inserting the following: "a
29 loan".
30 9. Page 3, line 16, by inserting after the word
31 "reimbursement" the following: "through loan
32 proceeds".

Shoultz of Black Hawk offered the following amendment [H-8207](#),
to amendment [H-8190](#), filed by him from the floor and moved its
adoption:

[H-8207](#)

1 Amend the amendment, [H-8190](#), to [House File 2401](#) as
2 follows:
3 1. Page 1, by striking lines 2 through 32 and
4 inserting the following:
5 "____. Page 1, by inserting after line 7 the
6 following:
7 "NEW SUBSECTION. 22. "Upgrade" means work
8 required at an aboveground petroleum storage tank site
9 in order to be in compliance with the requirements of
10 40 C.F.R. § 112."
11 _____. Page 1, by inserting after line 11 the
12 following:
13 "Sec.____. Section 455G.8, Code Supplement 2003,
14 is amended by adding the following new subsection:
15 NEW SUBSECTION. 6. ABOVEGROUND PETROLEUM STORAGE
16 TANK MANAGEMENT FEE. By January 15 of each year, an
17 owner of an aboveground petroleum storage tank that is
18 not a depositor, as defined in section 424.2, shall
19 remit an annual management fee of two hundred dollars
20 to the treasurer of state for deposit in the remedial
21 account of the fund."
22 2. By renumbering as necessary.

Amendment [H-8207](#) was adopted.

On motion by Shoultz of Black Hawk, amendment [H-8190](#), as
amended, lost.

Greiner of Washington offered the following amendment [H-8184](#)
filed by her and moved its adoption:

[H-8184](#)

- 1 Amend [House File 2401](#) as follows:
- 2 1. Page 2, line 31, by inserting after the word
- 3 "seq." the following: "and any applicable provisions
- 4 of chapter 101 and the administrative rules adopted
- 5 pursuant to chapter 101."

Amendment [H-8184](#) was adopted.

Greiner of Washington offered the following amendment [H-8175](#) filed by her and moved its adoption:

[H-8175](#)

- 1 Amend [House File 2401](#) as follows:
- 2 1. Page 3, by inserting after line 22 the
- 3 following:
- 4 "Sec. ____ EFFECTIVE DATE. This Act, being deemed
- 5 of immediate importance, takes effect upon enactment."
- 6 2. Title page, line 2, by inserting after the
- 7 word "fund" the following: "and providing an
- 8 effective date".
- 9 3. By renumbering as necessary.

Amendment [H-8175](#) was adopted.

Greiner of Washington moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2401](#))

The ayes were, 97:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boggess	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dennis	Dix
Dolecheck	Drake	Eichhorn	Elgin
Fallon	Foege	Ford	Freeman
Frevert	Gaskill	Gipp	Granzow
Greimann	Greiner	Hahn	Hanson
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Klemme	Kramer
Kuhn	Kurtenbach	Lalk	Lensing

Lukan	Lykam	Maddox	Manternach
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, S.
Osterhaus	Paulsen	Petersen	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Roberts	Sands	Schickel	Shomshor
Shoultz	Smith	Stevens	Struyk
Swaim	Taylor, D.	Thomas	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Mr. Speaker			
Rants			

The nays were, none.

Absent or not voting, 3:

Boddicker Connors Taylor, T.

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 2418, a bill for an act relating to meeting dates by which the state board of regents must make final decisions on tuition increases for institutions of higher education under its control, was taken up for consideration.

Mascher of Johnson offered the following amendment [H-8161](#) filed by her and moved its adoption:

[H-8161](#)

- 1 Amend [House File 2418](#) as follows:
- 2 1. Page 1, line 20, by striking the word "spring"
- 3 and inserting the following: "university holiday or".

Amendment [H-8161](#) was adopted.

Tjepkes of Webster moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2418](#))

The ayes were, 97:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boggess	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dennis	Dix
Dolecheck	Drake	Eichhorn	Elgin
Fallon	Foege	Ford	Freeman
Frevert	Gaskill	Gipp	Granzow
Greimann	Greiner	Hahn	Hanson
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Klemme	Kramer
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Manternach
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, S.
Osterhaus	Paulsen	Petersen	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Roberts	Sands	Schickel	Shomshor
Shoultz	Smith	Stevens	Struyk
Swaim	Taylor, D.	Thomas	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Mr. Speaker			
Rants			

The nays were, none.

Absent or not voting, 3:

Boddicker Connors Taylor, T.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 2140 WITHDRAWN

Tjepkes of Webster asked and received unanimous consent to withdraw House File 2140 from further consideration by the House.

House File 2396, a bill for an act relating to recovery of prejudgment interest in relation to an offer to confess judgment, was taken up for consideration.

Swaim of Davis offered the following amendment [H-8191](#) filed by him and moved its adoption:

[H-8191](#)

- 1 Amend [House File 2396](#) as follows:
- 2 1. Page 1, by inserting before line 1, the
- 3 following:
- 4 "Section 1. NEW SECTION. 677.7A OFFER TO RECEIVE
- 5 JUDGMENT AFTER ACTION BROUGHT.
- 6 The plaintiff in an action for the recovery of
- 7 money only may, at any time after the service of
- 8 notice and before trial, serve upon the defendant or
- 9 the defendant's attorney an offer in writing to
- 10 receive judgment against the defendant for a specified
- 11 sum with costs.
- 12 Sec.____. NEW SECTION. 677.8A ACCEPTANCE –
- 13 OFFER TO RECEIVE JUDGMENT.
- 14 If the defendant accepts the offer, and gives
- 15 notice thereof to the plaintiff or the plaintiff's
- 16 attorney within five days after the offer is made, the
- 17 offer, and an affidavit that the notice of acceptance
- 18 was delivered in the time limited, may be filed by the
- 19 defendant, or the plaintiff may file the acceptance
- 20 with a copy of the offer, verified by affidavit; and
- 21 in either case a minute of the offer and acceptance
- 22 shall be entered upon the judge's calendar and
- 23 judgment shall be rendered by the court accordingly."
- 24 2. Page 1, line 4, by inserting after the words
- 25 "which is" the following: "at least twenty percent".
- 26 3. Page 1, by inserting after line 6, the
- 27 following:
- 28 "Sec.____. NEW SECTION. 677.10B PENALTY –
- 29 ADDITIONAL PREJUDGMENT INTEREST.
- 30 If an offer to receive judgment is made under this
- 31 chapter and is not accepted, and a subsequent trial
- 32 results in a judgment which is at least twenty percent
- 33 more than the offer to receive judgment, prejudgment
- 34 interest shall be calculated at twice the normal rate
- 35 after the date of the offer to receive judgment."
- 36 4. By renumbering as necessary.

Amendment [H-8191](#) lost.

Swaim of Davis offered the following amendment [H-8149](#) filed by him and moved its adoption:

[H-8149](#)

- 1 Amend [House File 2396](#) as follows:

2 1. Page 1, line 2, by inserting before the word
 3 "If" the following: "1."
 4 2. Page 1, by inserting after line 6 the
 5 following:
 6 "2. If any offer to confess judgment is made under
 7 this chapter and is not accepted, and a subsequent
 8 trial results in a judgment which is more than the
 9 offer to confess judgment, twice the amount of
 10 prejudgment interest shall be calculated and subject
 11 to recovery after the date of the offer to confess
 12 judgment."

Amendment [H-8149](#) lost.

Swaim of Davis offered the following amendment [H-8181](#) filed by him and moved its adoption:

[H-8181](#)

1 Amend [House File 2396](#) as follows:
 2 1. Page 1, line 4, by inserting after the word
 3 "is" the following: "at least twenty percent".
 4 2. By renumbering as necessary.

Amendment [H-8181](#) lost.

Hogg of Linn asked and received unanimous consent to withdraw amendment [H-8180](#) filed by him on March 8, 2004.

Paulsen of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2396](#))

The ayes were, 52:

Alons	Arnold	Baudler	Boal
Bogges	Carroll	Chambers	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Freeman	Gipp
Granzow	Greiner	Hahn	Hanson
Heaton	Hoffman	Horbach	Huseman
Hutter	Jacobs	Jenkins	Jones
Klemme	Kramer	Kurtenbach	Lalk
Lukan	Maddox	Manternach	Olson, S.
Paulsen	Raecker	Rasmussen	Rayhons
Roberts	Sands	Schickel	Tjepkes

Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wildurdyke	Mr. Speaker Rants

The nays were, 45:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Greimann
Heddens	Hogg	Hunter	Huser
Jacoby	Jochum	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Osterhaus	Petersen	Quirk	Reasoner
Shomshor	Shoultz	Smith	Stevens
Struyk	Swaim	Taylor, D.	Thomas
Wendt	Whitaker	Whitead	Winckler
Wise			

Absent or not voting, 3:

Boddicker	Connors	Taylor, T.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILES 581 and 2097 WITHDRAWN

Paulsen of Linn asked and received unanimous consent to withdraw House Files 581 and 2097 from further consideration by the House.

House File 2447, a bill for an act relating to industry standards for boilers, directing the labor commissioner to adopt emergency rules when the industry standards are supplemented, providing for appeals of the commissioner's orders, and providing an effective date, was taken up for consideration.

Watts of Dallas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2447](#))

The ayes were, 97:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boggess	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dennis	Dix
Dolecheck	Drake	Eichhorn	Elgin
Fallon	Foege	Ford	Freeman
Frevert	Gaskill	Gipp	Granzow
Greimann	Greiner	Hahn	Hanson
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Klemme	Kramer
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Manternach
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, S.
Osterhaus	Paulsen	Petersen	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Roberts	Sands	Schickel	Shomshor
Shoultz	Smith	Stevens	Struyk
Swaim	Taylor, D.	Thomas	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Mr. Speaker			
Rants			

The nays were, none.

Absent or not voting, 3:

Boddicker Connors Taylor, T.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2396, 2401, 2418 and 2447.**

INTRODUCTION OF BILLS

House File 2519, by Fallon, a bill for an act prohibiting division of school foundation property taxes for financing certain urban renewal plans and providing an effective date.

Read first time and referred to committee on **ways and means.**

[House File 2520](#), by committee on economic growth, a bill for an act relating to purchasing preferences for Iowa-based products and services.

Read first time and placed on the **calendar**.

[House File 2521](#), by committee on commerce, regulation and labor, a bill for an act providing for a health insurance study by the commissioner of insurance and by providing an effective date.

Read first time and placed on the **calendar**.

[House File 2522](#), by committee on public safety, a bill for an act relating to evidence in a sexual abuse case.

Read first time and placed on the **calendar**.

[House File 2523](#), by committee on environmental protection, a bill for an act providing for the regulation of air quality, and making penalties applicable.

Read first time and placed on the **calendar**.

[House File 2524](#), by committee on public safety, a bill for an act relating to requiring certain persons to submit a DNA sample for DNA profiling, authorizing a fee, providing a penalty, and providing effective and contingent effective dates.

Read first time and placed on the **calendar**.

[House File 2525](#), by committee on economic growth, a bill for an act relating to economic development by creating a main street program and an entrepreneurship training curriculum.

Read first time and placed on the **calendar**.

[House File 2526](#), by committee on environmental protection, a bill for an act relating to lead abatement and property owner or agent liability, and providing for the establishment of fees.

Read first time and referred to committee on **ways and means**.

[House File 2527](#), by committee on human resources, a bill for an act relating to the provision of a copy of a certificate of birth to a biological parent.

Read first time and placed on the **calendar**.

[House File 2528](#), by committee on human resources, a bill for an act relating to consideration of a juvenile court order by the district court in a custody proceeding.

Read first time and placed on the **calendar**.

[House File 2529](#), by committee on local government, a bill for an act relating to shared governmental functions among local governments by allowing certain cities and counties to be certified as freedom communities, providing incentives for such certification, and by modifying the establishment and authority of community clusters and related county enterprise authority, and providing an effective date.

Read first time and placed on the **calendar**.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on March 8, 2004. Had I been present, I would have voted "aye" on [House File 2347](#), 2350, 2351, 2358, 2367, 2373, 2378, 2403 and 2419, and "nay" on House Files 2402 and 2427.

GREIMANN of Story

I was necessarily absent from the House chamber on March 8, 2004. Had I been present, I would have voted "nay" on [House File 2419](#), and "aye" on House Files 2397 and 2427.

JACOBY of Johnson

I was necessarily absent from the House chamber on March 8, 2004. Had I been present, I would have voted "aye" on [House Joint Resolution 2005](#) and House Files 2201, 2230, 2319, 2325, 2327, 2328, 2340, 2347, 2350, 2351, 2358, 2367, 2378, 2397, 2399, 2403 and 2419, and "nay" on House Files 2373, 2402 and 2427.

MILLER of Webster

I was necessarily absent from the House chamber on March 8, 2004. Had I been present, I would have voted "aye" on [House File 2403](#).

J.K. VAN FOSSEN of Scott

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Thirty-four 4-H members from Benton, Iowa, Tama, Poweshiek, and Jasper Counties, Iowa, accompanied by Nancy Allen and nine parents and Extension Staff. By Horbach of Tama, Carroll of Poweshiek, Hanson of Benton and De Boef of Keokuk.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARGARET A. THOMSON
Chief Clerk of the House

- | | |
|----------|--|
| 2004\670 | Peter M. Macias, Bettendorf – For celebrating his 85 th birthday. |
| 2004\671 | Bill and Heleen Dunkle, Waterloo – For celebrating their 60 th wedding anniversary. |
| 2004\672 | Corlis Boylan, Waterloo – For celebrating his 90 th birthday. |
| 2004\673 | Welden Peterson, Iowa Falls – For celebrating his 80 th birthday. |
| 2004\674 | Mabel Carlson, Le Grande – For celebrating her 88 th birthday. |
| 2004\675 | Rex and Marilyn White, Rhodes – For celebrating their 50 th wedding anniversary. |
| 2004\676 | Merlin and Norma Klaas, State Center – For celebrating their 50 th wedding anniversary. |
| 2004\677 | Irma and Oswald Jacobson, Iowa Falls – For celebrating their 60 th wedding anniversary. |
| 2004\678 | Mr. and Mrs. Elvin Hanson, Nashua – For celebrating their 50 th wedding. |

- 2004\679 Richard F. Scully, New Hampton – For celebrating his 95th birthday.
- 2004\680 Mr. and Mrs. Kenneth Lines, Nashua – For celebrating their 50th wedding anniversary.
- 2004\681 Anne Graber, Swedesburg – For being chosen by Unit #626 of Olds to attend the annual session of the Iowa American Legion Auxiliary Girls State.
- 2004\682 Frank Meirick, New Hampton – For celebrating his 90th birthday.
- 2004\683 David J. Llewellyn, St. Charles – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2004\684 Ray Youngblut, Jesup – For celebrating his 80th birthday.
- 2004\685 Russ and Kathy Rosenberg, Sr., St. Ansgar – For celebrating their 50th wedding anniversary.
- 2004\686 Leona McAllister, Conrad – For celebrating her 100th birthday.
- 2004\687 Cindy Gott, Winfield – For being chosen by the Winfield American Legion Auxiliary to attend the annual session of the Iowa American Legion Auxiliary Girls State.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

[House Study Bill 717](#)

Appropriations: Dolecheck, Chair; Chambers and Thomas.

RESOLUTIONS FILED

[HCR 118](#), by committee on economic growth, a concurrent resolution amending the joint rules of the Senate and House of Representatives for the Eightieth General Assembly.

Laid over under **Rule 25**.

[HCR 119](#), by committee on human resources, a concurrent resolution providing for the formation of a committee by the Legislative Council to make recommendations regarding the development of a drug repository program.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8197	H.F.	2440	Hogg of Linn
H-8198	H.F.	2458	Eichhorn of Hamilton
H-8199	H.F.	2440	Hogg of Linn
H-8200	H.F.	2352	Wilderdyke of Harrison
H-8201	H.R.	127	Stevens of Dickinson
H-8202	H.F.	2444	Dolecheck of Ringgold McCarthy of Polk
H-8204	H.F.	2508	Swaim of Davis
H-8205	H.F.	2473	Smith of Marshall
H-8206	H.F.	2457	Kramer of Polk
H-8208	H.F.	2494	Sands of Louisa
H-8209	H.F.	2404	Van Engelenhoven of Marion Arnold of Lucas Roberts of Carroll
			Greiner of Washington Eichhorn of Hamilton Whitaker of Van Buren
H-8210	H.F.	2433	Rayhons of Hancock Whitaker of Van Buren
H-8211	H.F.	2444	Huser of Polk Raecker of Polk
H-8212	H.F.	2390	Jenkins of Black Hawk Heaton of Henry
			Foege of Linn Osterhaus of Jackson
H-8213	H.F.	2440	Upmeyer of Hancock

On motion by Gipp of Winneshiek the House adjourned at 8:14 p.m., until 8:45 a.m., Wednesday, March 10, 2004.